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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

In the remarks, Applicant argued in substance that (1) Monday in view of Venners fails to teach a suggest “a remote class loader mechanism configured to: detect the indication that the class is not loaded; obtain the class from a remote system via a network; and store the class in a location indicated by the class path of the default class loader on the system; wherein the remote class loader mechanism is configured to perform said detect, said obtain, and said store separate from and transparent to the default class loader” because the custom class loaders are instances of subclasses of the Classloader, and **by definition**, and as well known by one of ordinary skill in the art of class loaders, cannot operate separately from and transparently to the default classloader and cannot be independent from the default class loader (pages 2-3), (2) the Examiner’s assertion regarding “inherent from the remote class loader check the remote classpath, obtain the class and store it is the directory without consulting from the class loader” is entirely unsupported by the actual teaching of the reference because in the reference, the remote class loader is **called** by the classloader in the event that the class is not found in the classpath, (3) Monday in view of Venners fails to teach the default class loader loads the class from the location indicated by the class path, wherein the class is stored therein by a remote class loader, because Venners teaches if the default class loader cannot locate a class in a location on its class path, the default class loader **notifies** a custom class loader associated with the class, which then attempts to load the class, possibly from a remote location, i.e., Examiner apparently has failed to understand Applicants' argument, (4) there is no valid reason to combine the teaching of Monday and Venners.

Examiner respectfully disagrees with the arguments:

- As to the point (1), Applicant failed to provide any reasons why the cited passages do not teach the limitations "a remote class loader mechanism configured to: detect the indication that the class is not loaded; obtain the class from a remote system via a network; and store the class in a location indicated by the class path of the default class loader on the system", therefore, the arguments regarding the above limitations are not persuasive. In addition, examiner requests from Applicant all references/information that teach “the custom class loaders are instances of subclasses of the Classloader, and **by definition**, and as well known by one of ordinary skill in the art of class loaders, cannot operate separately from and transparently to the default classloader and cannot be independent from the default class loader”, because, as any one of ordinary skill in the art would have know that even though the custom class loaders are instances of subclasses of the Classloader, the default class loader and the custom class loader are separate entities, and no definition shows that the remote class loader operates must depend on the default class loader. When the default class loader fail to find a class, it will throw an exception, and that is the end of the execution of the default class loader when attempt to load the class, then the remote class loader catch the exception and executes its codes to try to find the requested class. Clearly, the remote class loader is executed transparently and independent of the default class loader.
- As to the point (2), examiner fails to find in the reference that "**the remote class loader is called by the class loader** in the event that the class is not found in the class path” as asserted by Applicant. Therefore, the arguments are not persuasive.

- As to the point (3), again, examiner fails to find in the reference that teach “the default class loader notifies a custom class loader” when the default class loader cannot locate a class in a location in its class path as asserted by the Applicant. Furthermore, the rejection clearly show “the default class loader loads the class from the location indicated by the class path, wherein the class is stored therein by a remote class loader”, and Applicant failed to give any reason why the cited passages do not teach the above limitation. Therefore, the arguments are not persuasive.
- As to the point (4), In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Monday and Venners are directing to loading classes by default class loader and custom class loader, and Venners teaches in details the process, what is really happen when the default class loader cannot find the class. One of ordinary skill in the art would have plenty of valid reasons to combine the teaching of Monday and Venners. Thus, it's not that Examiner failed to understand Applicants' argument, but Applicant failed to understand examiner's arguments, and asserted things that are not teach by the references.
- Again, examiner requests all/any information that teach by definition, the remote class loader cannot operate transparent and independently from the default class loader.